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8 **United States District Court**
9 **Central District of California**
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11 ANNA BROWNSTEIN,

12 Plaintiff,

13 v.

14 CITIMORTGAGE, INC.; DOES 1-10

15 Defendants.
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Case № 2:15-cv-00092-ODW(AGRx)

ORDER DENYING PLAINTIFF'S

EX PARTE APPLICATION FOR

TEMPORARY RESTRAINING

ORDER AND ORDER TO SHOW

CAUSE REGARDING

PRELIMINARY INJUNCTION [12]

18 On January 12, 2015, Plaintiff filed an Ex Parte Application for Temporary
19 Restraining Order and Order to Show Cause Regarding Preliminary Injunction. (ECF
20 No. 12.) The following day, the Court denied Plaintiff's Application. (ECF No. 11.)
21 Today, January 14, 2015, Plaintiff has filed a largely identical Ex Parte Application
22 for Temporary Restraining Order and Order to Show Cause Regarding Preliminary
23 Injunction. (ECF No. 12.) Additionally, Plaintiff filed a Declaration of Terrance
24 Forbes in support of her most recent Ex Parte Application for a TRO. (ECF No. 12.)
25 Neither the new Application nor Declaration has persuaded the Court to reverse its
26 decision.

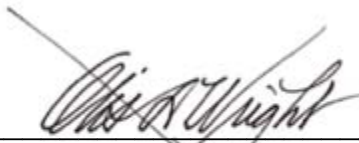
27 In the January 13, 2015 Order denying Plaintiff's first Ex Parte Application for
28 a TRO, the Court found that "Plaintiff has failed to demonstrate the first of four

1 elements required to obtain a preliminary injunction: likelihood of success on the
2 merits.” (Order, 3.) Plaintiff argued that the Court should prevent CitiMortgage from
3 conducting a foreclosure sale because her loan modification application is currently
4 under review. (TRO App., 1.) The Court found this argument unpersuasive because
5 on December 5, 2014, Citi notified Plaintiff that the Trustee’s Sale of her home had
6 been postponed from December 12, 2014 to January 16, 2015. (*Id.*, Ex. D.)

7 Plaintiff’s new Ex Parte Application for a TRO does not contain any new
8 allegations or documentation. Therefore, for the reasons more thoroughly articulated
9 in the January 13, 2015 Order and briefly summarized here, the Court **DENIES**
10 Plaintiff’s Ex Parte Application for Temporary Restraining Order and Order to Show
11 Cause Regarding Preliminary Injunction. (ECF No. 12.)

12 **IT IS SO ORDERED.**

13
14 January 14, 2015

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17 **OTIS D. WRIGHT, II**
18 **UNITED STATES DISTRICT JUDGE**
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